IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No: 24585 of 2004

Between:

Hazrat Nirgun Shah Awilia Darga, Pattanpet, Guduru Village, Krishna District, Rep. by its President, Md. Khasim, S/o. Abdul Subhan.

..... PETITIONER

AND

The Chief Executive Officer, Andhra Pradesh Wakf Board, Nampally, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of a Writ of Mandamus declaring the inaction of the respondent in failure to pass any orders on the representation dated 17-5-2004 and subsequent representations dated 17-11-2004 and 23-12-2004 as arbitrary, illegal and violtive of Articles 14,19,21 and 300-A of Constitution of India and against the principles of natural justice and all canons of law and justice and consequently direct the respondent herein to pass appropriate orders forthwith on the representation dated 17-5-2004 submitted by the petitioner herein.

Counsel for the Petitioner: MR.SIVALENKA RAMACHANDRA PRASAD

Counsel for the Respondent: MR.A.M.QURESHI

The Court at the admission stage made the following:

ORDER:

The petitioner claims to be the Managing Committee of Hazrat Nirugum Shah Awilia Darga, Gudur Village, Krishna District. It is stated that when the term of the existing Committee was going to be expired on 18.06.2004, it made representation on 17.05.2004 and subsequently on 17.11.2004 and 23.12.2004 for extension of the term. It is alleged that no action has been taken thereon.

Heard learned counsel for the petitioner and learned Standing Counsel for the Wakf Board.

The respondent appointed a Committee for managing the affairs of the Wakf referred to above. It is always in its discretion whether to continue the existing Managing Committee or to appoint a new Committee in its place. There does not exist any justification for not taking any steps. On account of uncertainty in the matter, the administration of the Darga may suffer.

Hence, the writ petition is disposed of, directing the respondent to pass appropriate orders on the representations made by the petitioner, within a period of six weeks from the date of receipt of this order. There shall be no order as to costs.

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29.12.2004

Note: Issue C.C. by tomorrow.

(B/o)

Jsu

To

1. The Chief Executive Officer, Andhra Pradesh Wakf Board, Nampally, Hyderabad.

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